

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CALIX, INC.,  
Plaintiff,  
v.  
ALFA CONSULT, S.A.,  
Defendant.

Case No. [15-cv-00981-JCS](#)

**ORDER FOR SECOND  
SUPPLEMENTAL DECLARATION  
REGARDING PLAINTIFF'S  
REQUESTED ATTORNEY'S FEES**

Re: Dkt. Nos. 17, 25

On June 12, 2015, the Court held a hearing on Plaintiff's Motion for Default Judgment (Dkt. 17, filed May 4, 2015). At the hearing, Plaintiff's counsel explained that attorney's fees should be awarded pursuant to section 3.4 of the Non-Exclusive Reseller Agreement. In addition, Plaintiff's counsel agreed to submit an affidavit supporting her request for additional attorney's fees based on the time spent preparing for and appearing at the June 12, 2015 hearing. Later on June 12, 2015, Plaintiff's counsel filed a Supplemental Declaration requesting additional attorney's fees, costs, and an updated prejudgment interest amount (Dkt. 25). The Supplemental Declaration requests \$3,075.00 in "additional fees and expenses...for work performed in June 2015." Dkt. 25. The Supplemental Declaration also attaches invoices dated May 7, 2015 and June 1, 2015 for attorney's fees and costs in the amounts of \$5,801.58 and \$186.75, respectively. Dkt. 25 Exs. C–D.

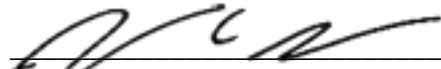
To recover attorney's fees, a party must "submit evidence supporting the hours worked and rates claimed." *Hensley v. Eckerhart*, 461 U.S. 424, 433 (1983). To support that the charged rates are reasonable, the party bears the burden of producing satisfactory evidence that the charged rates are in line with the prevailing market rates in the relevant community—the rates for similar services by lawyers of comparable skill, expertise, and reputation. *See Blum v. Stenson*, 465 U.S. 886, 895

(1984); *United Steelworkers of Am. v. Phelps Dodge Corp.*, 896 F.2d 403, 407 (9th Cir. 1990). Therefore, to recover attorney's fees, Plaintiff's counsel shall file a second supplemental declaration to support the charged rates of \$375/hour for Ms. Sterling and \$400/hour for Mr. Dranit, including a description of Ms. Sterling's and Mr. Dranit's relevant experience. In addition, to recover the "additional fees and expenses in the amount of \$3,075.00" (Dkt. 25 ¶ 6), Plaintiff's counsel must submit a detailed record showing how this amount was generated, such as a time sheet.<sup>1</sup> See *Chalmers v. City of Los Angeles*, 796 F.2d 1205, 1210 (9th Cir. 1986) opinion amended on denial of reh'g, 808 F.2d 1373 (9th Cir. 1987).

To recover the requested attorney's fees, Plaintiff's counsel shall file a Second Supplemental Declaration no later than Monday June 22, 2015.

**IT IS SO ORDERED.**

Dated: June 15, 2015

  
 JOSEPH C. SPERO  
 Chief Magistrate Judge

<sup>1</sup> The Supplemental Declaration does not show how the requested amount of \$3,075.00 was generated. At the hearing on June 12, 2015, Plaintiff's counsel represented that she would be requesting approximately \$1,800.00 for the five hours expended preparing for and attending the hearing at a rate of \$375/hour.